



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

AFB
TFO

Applicant: **Meade et al.**

Art Unit No.: **1632**

Application No.: **10/081,400**

Examiner: **Joseph T. Voitach**

Filed: **February 20, 2002**

For: **ERYTHROPOIETIN ANALOG-HUMAN SERUM ALBUMIN FUSION**

Attorney Docket Number: **GTC-6D**

Mail Stop AF
Commissioner for Patents
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RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

This reply is being filed in response to the Notice of Non-Compliant Amendment mailed December 16, 2005 in connection with the above-identified patent application. The time period for filing a Reply to the Notice of December 16, 2005 is calculated based on the time period set forth in the Final Office Action issued May 17, 2005. As such, with a two-month extension of time being filed herewith, Applicants submit the following response. As such, this Reply is timely filed.

Sequence Listing

Upon review of Applicant's Reply of October 3, 2005, it was found that the CRF submitted with Applicant's Reply of October 3, 2005 contained two files. Applicants re-submit herewith a corrected CRF which contains one file. The enclosed diskette contains a computer readable form of the corrected Sequence Listing filed herewith.

CERTIFICATE OF MAILING UNDER 37 CFR 1.8

I hereby certify that this correspondence is being deposited on Dec 22, 2005 with the United States Postal Service as first class mail with sufficient postage on the date indicated above and is addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.


Dawn C. Greenaway

Upon review of Applicant's Reply of October 3, 2005, it was also found that there was misaligned amino acid sequence in SEQ ID NO 3. Applicants have correctly aligned the amino acid numbering in SEQ ID NO 3 and submit herein the corrected Sequence Listing.

Moreover, a discrepancy was also found between the number of SEQ. ID. NOs. input in the Sequence Listing submitted on October 3, 2005 and the actual number counted and present in the instant application. Specifically, the Sequence Listing submitted on October 3, 2005 input a total of "4" in section 15 ,<160>, yet there are a total of "5" sequences and such should have been identified in section 15 ,<160>. Applicants have therefore corrected this section of the Sequence Listing to identify the correct number of Sequences.